

JOSEPH P. RUSSONIELLO (CSBN 44332)
United States Attorney

BRIAN J. STRETCH(CABN 163973)
Chief, Criminal Division

SUSAN B. GRAY (CSBN 100374)
Assistant United States Attorneys

450 Golden Gate Avenue, Box 36055
San Francisco, CA 94102
Telephone: (415) 436-7324
Facsimile: (415) 436-6748
email: susan.b.gray@usdoj.gov

UNITED STATES OF AMERICA
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

v.

APPROXIMATELY \$34,320 IN UNITED
STATES CURRENCY,

Defendant.

Case No. CV 08-0318 MMC

**DECLARATION OF
PUBLICATION**

Notice of Civil Forfeiture was posted on an official government internet site (www.forfeiture.gov) for at least 30 consecutive days, beginning on January 25, 2008, as required by Rule G(4)(a)(iv)(C) of the Supplemental Rules for Admiralty or Maritime Claims and Asset Forfeiture Actions, as evidenced by Attachment 1.

Notice was also published in a newspaper of general circulation on January 30, 2008, pursuant to Rule G(4)(a) of the Supplemental Rules for Admiralty or Maritime Claims and Asset Forfeiture Action. Said published notice advised all third parties of their right to file a claim with the court no later than thirty (30) days after final publication, and an answer within twenty (20) days after filing the claim, as evidenced by Attachment 2.

1 I declare under penalty of perjury that the foregoing is true and correct.

2 Executed this 29th day of May, 2008.

3
4
5 
6 SUSAN B. GRAY
7 Assistant United States Attorney
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

Attachment 1

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
COURT CASE NUMBER: CV 08-0318 SC; NOTICE OF FORFEITURE ACTION

Pursuant to 21 USC 881, the United States filed a verified Complaint for Forfeiture against the following property:

\$34,320.00 U.S. Currency (07-DEA-488974), which was seized from Frank Joseph Alioto Jr. on August 16, 2007 at Oakland Airport, located in Oakland, CA

Any person claiming a legal interest in the Defendant Property must file a verified Claim with the court within 60 days from the first day of publication (January 25, 2008) of this Notice on this official government internet web site and an Answer within 20 days thereafter. Title 18, United States Code, Section 983(h)(1) permits a court to impose a civil fine on anyone asserting an interest in property which the court determines was frivolous.

The verified Claim and Answer must be filed with the Clerk of the Court, 450 Golden Gate Avenue, 16th Floor, San Francisco, CA 94102, and copies of each served upon Assistant United States Attorney Susan B. Gray, 450 Golden Gate Avenue, 10th Floor, San Francisco, CA 94102, or default and forfeiture will be ordered. See, 18 U.S.C. § 983(a)(4)(A) and Rule G(5) of the Supplemental Rules for Admiralty or Maritime Claims and Asset Forfeiture Actions.

Advertisement Certification Report

The Notice of Publication was available on the www.forfeiture.gov web site for at least 18 hours per day between January 25, 2008 and February 23, 2008. Below is a summary report that identifies the uptime for each day within the 30-day period and reports the results of the web monitoring system's daily check that verifies that the advertisement was available each day.

USA v. Approximately \$34,320 in US Currency

Court Case No: CV 08-0318 SC

For Asset ID(s): 07-DEA-488974 \$34,320.00 U.S. Currency

Consecutive Calendar Day Count	Date Advertisement Appeared on the Web Site	Total Hours Web Site was Available during Calendar Day	Verification that Advertisement existed on Web Site
1	01/25/2008	23.4	Verified
2	01/26/2008	22.5	Verified
3	01/27/2008	23.6	Verified
4	01/28/2008	23.6	Verified
5	01/29/2008	23.5	Verified
6	01/30/2008	23.5	Verified
7	01/31/2008	23.6	Verified
8	02/01/2008	23.5	Verified
9	02/02/2008	23.7	Verified
10	02/03/2008	23.3	Verified
11	02/04/2008	23.6	Verified
12	02/05/2008	23.4	Verified
13	02/06/2008	23.6	Verified
14	02/07/2008	23.6	Verified
15	02/08/2008	23.6	Verified
16	02/09/2008	23.2	Verified
17	02/10/2008	23.4	Verified
18	02/11/2008	23.6	Verified
19	02/12/2008	23.5	Verified
20	02/13/2008	23.3	Verified
21	02/14/2008	23.3	Verified
22	02/15/2008	23.7	Verified
23	02/16/2008	23.6	Verified
24	02/17/2008	23.6	Verified
25	02/18/2008	23.6	Verified
26	02/19/2008	23.5	Verified
27	02/20/2008	23.4	Verified
28	02/21/2008	23.4	Verified
29	02/22/2008	23.6	Verified
30	02/23/2008	22.5	Verified

Additional log information is available and kept in the archives for 15 years after the asset has been disposed. For more information, please contact Carolyn Jusay in the Northern District of California at 415-436-7242.

Attachment2

SAN FRANCISCO DAILY JOURNAL
~ SINCE 1893 ~

44 MONTGOMERY ST STE 250, SAN FRANCISCO, CA 94104
Telephone (800) 640-4829 / Fax (510) 465-1657

ANDREA HOWARD
U.S. MARSHALS SERVICES/ASSETS &
450 GOLDEN GATE AVE BOX 36056
SAN FRANCISCO, CA - 94102

PROOF OF PUBLICATION

(2015,5 C.C.P.)

State of California)
County of SAN FRANCISCO) ss

Notice Type: USM - US MARSHAL S PUBLICATION

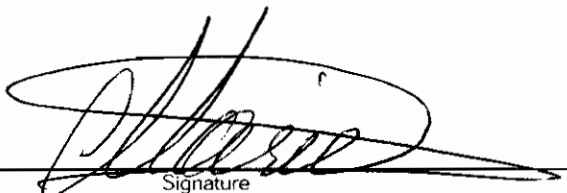
Ad Description: CV 08 0318 SC/USA V. APPROXIMATELY \$34,320 IN
UNITED STATES CURRENCY

I am a citizen of the United States and a resident of the State of California; I am over the age of eighteen years, and not a party to or interested in the above entitled matter. I am the principal clerk of the printer and publisher of the SAN FRANCISCO DAILY JOURNAL, a newspaper published in the English language in the city of SAN FRANCISCO, county of SAN FRANCISCO, and adjudged a newspaper of general circulation as defined by the laws of the State of California by the Superior Court of the County of SAN FRANCISCO, State of California, under date 06/28/1990, Case Nos. 670493 and 18,469. That the notice, of which the annexed is a printed copy, has been published in each regular and entire issue of said newspaper and not in any supplement thereof on the following dates, to-wit:

01/30/2008

Executed on: 01/30/2008
At SAN FRANCISCO, California

I certify (or declare) under penalty of perjury that the foregoing is true and correct.


Signature



This space for filing stamp only

SF#: 1271878

UNITED STATES
DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA, Plaintiff,
v.
APPROXIMATELY \$34,320 IN UNITED
STATES CURRENCY,
Defendant.

No. CV 08-0318 SC

NOTICE OF FORFEITURE ACTION

A civil complaint seeking forfeiture pursuant to 21 U.S.C. § 881(a)(8) was filed on January 17, 2008, in the United States District Court for the Northern District of California by the United States of America, plaintiff, against the *in rem* defendant currency.

In order to contest forfeiture of the *in rem* defendant currency, any person who asserts an interest in or right against the property, must file a verified statement identifying the interest or right within 35 days after the date of service of the complaint in accordance with Rule G(5) of the Supplemental Rules for Admiralty or Maritime and Asset Forfeiture Claims or within 30 days after the date of final publication of the Notice of Forfeiture Action, whichever is earlier. Additionally, a claimant must serve and file an answer to the complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure within 20 days after filing the claim.

An agent, bailer or attorney must state the authority to file a statement of interest or right against the property on behalf of another. Statements of interest and answers should be filed with the Office of the Clerk, United States District Court for the Northern District of California, 450 Golden Gate Avenue, 16th Floor, San Francisco, California 94102, and copies should be served on Susan Gray, Assistant United States Attorney, 450 Golden Gate Avenue, 9th floor, San Francisco, California 94102.

Respectfully submitted,

JOSEPH P. RUSSONIELLO
United States Attorney

Dated: January 17, 2008
SUSAN B. GRAY
Assistant United States Attorney

JOSEPH P. RUSSONIELLO (CSBN
44332)
United States Attorney

BRIAN J. STRETCH
(CSBN 163973)
Chief, Criminal Division

SUSAN B. GRAY (CSBN 100374)
Assistant United States Attorney

450 Golden Gate Avenue, 9th floor
San Francisco, CA 94102
Telephone: 415.436.7324
Facsimile: 415.436.6748
Email: susan.b.gray@usdoj.gov

Attorneys for United States of America

RECEIVED
UNITED STATES MARSHAL
08 FEB -1 PM 3:03
NORTHERN DISTRICT
OF CALIFORNIA

⁽¹⁾Please check www.fortelure.gov for the listing of all judicial forfeiture notices as newspaper publication of judicial forfeiture notices will be discontinued in the near future.

1/30/08

SF-1271878#